

WaiversFirst Name Last Name Claim Number

W-20-0003

Amount OGC Received Date Assigned To Assigned Date

\$13790.61 02/27/2020 Mary O'Lone 02/27/2020

EPA Decision EPA Decision Date Amount Approved Status

APPROVED 04/10/2020 \$13790.61 CLOSED

Appeal Comments

No 4/10/20 Approved. Employee hired 27 days after FERS RAE went into effect. The record does not contain any evidence that he was an expert in federal retirement and pay systems, especially the establishment of appropriate retirement plans, their codes, and the effect it has on an employee's pay. Further, it is not reasonable to expect that an employee would know the significance of a one letter retirement code's association with the dollar amount he or she must contribute toward retirement. No reason for him to have questioned the erroneous retirement code and deduction in the pay records available.

Employee reasonably relied on the Agency to place him in the correct retirement plan, particularly as an individual entering the federal service for the first time. B-211345 (July 21, 1983), B-184182 (July 22, 1976). Also had a reasonable basis to rely upon receipt of the money, and it would be against equity and good conscience to collect the overpayments from your salary. See, B-235467 (Oct. 24, 1989), B 206385 (Dec. 6, 1982), B 182188 (Jan. 22, 1975).

3/30/20 sent draft decision to Ken. hired 27 days after FER-RAE started but erroneously placed in FERS. Had no reason to know of the error.

3/26 & 27 CSSC provides final installments of information requested.

2/27/20 sent CSSC email requesting EPA side of story by 3/12/20.
was hired in January 2013 and placed in FERS rather than FERS-RAE.

Debt ID MI 926700002

Type

Federal Employee Retirement System (FERS-FERS RAE)

Attachments